PATENT 930074-2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

: Hsuan-Lung Wu

Serial No.

10/643,468

For

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MEMBER

Filing Date

August 19, 2003

Examiner

Ali F. Abdelwahed

Group Art Unit

3722

Confirmation No.

4092

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 14, 2005

JUL 1 8 2005

Ronald R. Santucci, Reg. No., 28,988

(Name of Applicant, Assigner or Registered Representative)

Signature

July 14, 2005

Date of Signature

745 Fifth Avenue New York, NY 10151

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION (37 C.F.R. 1.321(b) AND STATEMENT UNDER 37 C.F.R. 3.73(b)

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

The below-named attorney of record ("Petitioner"), authorized to act on the behalf of the

Applicant, hereby disclaims, except as provided below, the terminal part of any patent granted on

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the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on U.S. Application 10/643,466 (the "466 application"), filed on August 19, 2003, as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the '466 application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the '466 application, in the event that: the '466 application later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a); or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

In accordance with 37 C.F.R. § 3.73, the undersigned states that 100% of the title to the instant application is in the Applicant and that there has been no assignment of rights. The undersigned further states that evidentiary documents evidencing the chain of title have been reviewed and certifies that, to the best of his or her knowledge and belief, title is in the Applicant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A check in the amount of \$65.00 for the filing of a Terminal Disclaimer for a small entity is enclosed herewith. The Commissioner is authorized to charge any additional fees that may be required to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:

Reg. No. 28,988 (212) 588-0800